

Armen Shaghzo, Esq., CA Bar No. 178802 (*pro hac vice*)
SHAGHZO & SHAGHZO LAW FIRM, APC
100 W. Broadway, Suite 540
Glendale, CA 91210
(818) 241-8887 Telephone
(818) 241-0035 Facsimile

Attorneys for HEDEYA HAROUTUNIAN

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

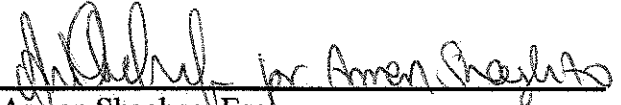
In re:	)	Case No.: 12-12020 (MG)
)	
Residential Capital, LLC, et al.	)	Chapter 11
)	
Debtor	)	Joint Administration Pending
)	
	)	Hearing Date: August 14, 2012
	)	10:00 a.m. (ET)
	)	Objection Deadline Date:
	)	August 7, 2012
	)	4:00 p.m. (ET)

**REPLY TO OMNIBUS OBJECTION TO HEDEYA HAROUTUNIAN'S MOTION FOR
RELIEF FROM THE AUTOMATIC STAY UNDER 11 U.S.C. §362 [DOCKET NO. 894]
(Action in Non-Bankruptcy Forum)**

Movant Hedeya Haroutunian hereby submits this reply to the omnibus objection to
Movant's Motion for Relief from the Automatic Stay.

Movant filed her Motion for Relief from the Automatic Stay [Docket No. 894] and
Debtors filed an Omnibus Objection [Docket No. 1022]. The parties have since conferred and
have agree to a limited modification of the automatic stay of section 362(a) of the Bankruptcy
Code, pursuant to the terms and subject to the conditions set forth in this stipulation and order
attached hereto as Exhibit A.

Dated: August 13 2012
Glendale, California


Armen Shaghzo, Esq.

Mailing Address:
SHAGHZO & SHAGHZO LAW FIRM, APC
100 W. Broadway, Suite 540
Glendale, CA 91210
Email: as@shaghzolaw.com
Telephone: (818) 241-8887
Facsimile: (818) 241-0035

DECLARATION OF ARMEN SHAGHZO, ESQ.

I, Armen Shaghzo, Esq., under penalty of perjury declare as follows:

1. I am an attorney at law duly licensed to practice law in the state of California and in good standing. I am the attorney of record for the Plaintiff, Hedeya Haroutunian, herein. I have personal knowledge of the matters set forth in this declaration and, if called upon to testify, I could and would competently testify thereto. I have knowledge regarding the state court lawsuit in the non-bankruptcy forum by virtue of my representation and appearance as counsel of record for Mrs. Haroutunian in the non-bankruptcy action.

2. The non-bankruptcy action for which Mrs. Haroutunian seeks relief from stay is currently pending as: *Haroutunian v. GMAC Mortgage, LLC*, Case No. B237722 currently pending in the Court of Appeal for the State of California, Second Appellate District. That appeal arises from the matter of *Haroutunian v. GMAC Mortgage, LLC*, Case No. EC052638 which was dismissed by the Hon. David S. Milton, Dept. D in the Los Angeles Superior Court, North Central District.

3. Movant Hedeya Haroutunian on June 24, 2012, filed her *Motion for Relief from the Automatic Stay Under 11 U.S.C. § 362* [Docket No. 894]. That motion is currently set for hearing on August 14, 2012.

4. The Movant, Hedeya Haroutunian and Debtors GMAC Mortgage LLC have stipulated to a limited modification of the automatic stay of section 362(a) of the Bankruptcy Code. Attached and marked herein as Exhibit "A" is a true and correct copy of said *Stipulation and Order Modifying Automatic Stay with Respect to Action of Hedeya Haroutunian*.

5. The limited modification of the stay would permit briefing of the appeal currently pending in the Court of Appeal for the State of California, Second Appellate District.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS DECLARATION WAS EXECUTED ON THIS 13 TH DAY OF AUGUST, 2012, IN GLENDALE, CALIFORNIA.


Armen Shaghzo, Esq., Declarant

Exhibit “A”

**UNITED STATES BANKRUPTCY COURT
 SOUTHERN DISTRICT OF NEW YORK**

In re:	)	Case No. 12-12020 (MG)
RESIDENTIAL CAPITAL, LLC, <u>et al.</u>,	)	Chapter 11
Debtors.	)	Jointly Administered

**STIPULATION AND ORDER MODIFYING
 AUTOMATIC STAY WITH RESPECT TO ACTION OF HEDEYA HAROUTUNIAN**

WHEREAS, Hedeya Haroutunian (the “**Movant**”) is a plaintiff in a civil action against, among others, GMAC Mortgage, LLC (“**GMAC Mortgage**”), one of the above captioned debtors and debtors in possession (collectively, the “**Debtors**”), in the Superior Court of the State of California for the County of Los Angeles – North Central District (the “**Superior Court**”), Case No. EC052638 (the “**Action**”);

WHEREAS, on September 30, 2011, the Superior Court sustained GMAC Mortgage’s demurrer to Movant’s fourth amended complaint without leave to amend and on December 9, 2011, the Superior Court entered judgment in favor of GMAC Mortgage;

WHEREAS, the Movant appealed the Superior Court’s judgment to the Court of Appeals of the State of California (the “**Appellate Court**”), Case No. B237722 (the “**Appeal**”);

WHEREAS, on May 14, 2012, each of the Debtors filed a voluntary petition in this Court for relief under Chapter 11 of title 11 of the United States Code (the “**Bankruptcy Code**”);

WHEREAS, the Debtors are managing and operating their businesses as debtors in possession pursuant to Bankruptcy Code sections 1107(a) and 1108;

WHEREAS, pursuant to section 362 of the Bankruptcy Code, the commencement of the Debtors’ Chapter 11 cases automatically stayed the Appeal;

WHEREAS, on June 24, 2012, Movant filed her *Motion for Relief from the Automatic Stay Under 11 U.S.C. § 362* [Docket No. 894] (the "**Motion**") seeking relief from the automatic stay to pursue the Appeal;

WHEREAS, the Debtors have conferred with the Movant and have agree to a limited modification of the automatic stay of section 362(a) of the Bankruptcy Code (the "**Stay**"), pursuant to the terms and subject to the conditions set forth in this stipulation and order (the "**Stipulation and Order**");

NOW THEREFORE, it is hereby stipulated and agreed as between the Movant and the Debtors (collectively, the "**Parties**"), through their undersigned counsel, as follows:

1. The Stay shall be modified solely to the extent set forth herein.
2. The Movant may prosecute the Appeal through the adjudication thereof by the Appellate Court, and the Debtors may take all actions necessary to contest the Appeal, consistent with the terms, conditions and limitations of this Stipulation and Order.
3. Notwithstanding anything in this Stipulation and Order or the Motion to the contrary, absent further order of this Court, the Stay remains in full force and effect with respect to the Action, and following the adjudication of the Appeal, the Stay shall apply to the Action.
4. This Stipulation and Order shall not become effective unless and until it is entered by the Court.
5. This Stipulation and Order shall not be modified, altered, amended or vacated without the prior written consent of all Parties hereto. Any such modification, alteration, amendment or vacation in whole or part shall be subject to the approval of this Court. No

statement made or action taken in the negotiation of this Stipulation and Order, nor set forth herein, may be used by any Party in the Action or Appeal.

6. This Stipulation and Order is the entire agreement between the Parties in respect of the subject matter hereof.

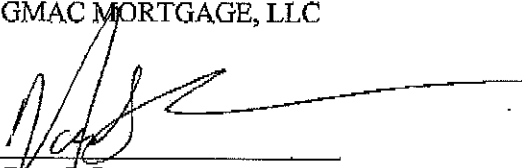

7. Each person who executes this Stipulation and Order on behalf of a Party hereto represents that he or she is duly authorized to execute this Stipulation and Order on behalf of such Party.

8. This Stipulation and Order may be executed in multiple counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

9. The 14-day stay period under Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure is hereby waived and this Stipulation and Order shall be immediately effective upon its entry.

10. This Court shall retain jurisdiction to resolve all matters relating to the implementation of this Stipulation and Order.

[SIGNATURE PAGE FOLLOWS]

<p>GMAC MORTGAGE, LLC</p>  <p>Gary S. Lee Norman S. Rosenbaum MORRISON & FOERSTER LLP 1290 Avenue of the Americas New York, New York 10104 Telephone: (212) 468-8000 Facsimile: (212) 468-7900</p> <p><i>Counsel for Debtors and Debtors in Possession</i></p>	<p>HEDEYA HAROUTUNIAN</p>  <p>Armen Shagzo SHAGHO & SHAGHO LAW FIRM, APC 100 W Broadway, Suite 540 Glendale, California 91210 Telephone: (818) 241-8887 Facsimile: (818) 241-0035</p> <p><i>Counsel for Hedeya Haroutunian</i></p>
--	---

APPROVED AND SO ORDERED
this ___ day of August, 2012 in New York

THE HONORABLE MARTIN GLENN
UNITED STATES BANKRUPTCY JUDGE